

United States Department of the Interior Bureau of Land Management

Decision Record
DOI-BLM-UT-Y202-2016-003-CX

December 2015

Canyonlands Park Tours SRP
Tom Till Tours SRP

Location: San Juan County, UT

Applicant/Address: **Canyonlands Park Tours**
65 Circle Drive
P.O. Box 273
Monticello, UT 84535

Tom Till Tours
3160 S Rimrock Road
Moab, UT 84532

Monticello Field Office
P.O. Box 7
Monticello, Utah 84535
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DECISION RECORD
Categorical Exclusion Not Established By Statute
DOI-BLM-UT-Y020-2016-003

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Introduction

The BLM Monticello Field Office (MtFO) proposes to authorize the issuance of Special Recreation Permits (SRP) for driving tours, photography lessons, and short hikes to various developed sites on BLM lands in San Juan County, UT to Canyonlands Park Tours and Tom Till Tours. Each tour would have up to eight participants, including seven customers and one guide. One van may be used per tour. The vehicle will remain on paved routes and parking areas at most times, but may access short spurs of Class B routes in the Indian Creek Special Recreation Management Area as parking turn-outs or to turn around. Foot travel would consist of walks on developed trails such as the Butler Wash Archeological Ruins Trail. Tours may be offered year-round and the number of tours offered each year will be demand-driven.

Decision

It is my decision to approve the issuance of an SRP for tours and photography lessons as described in DOI-BLM-UT-Y020-2016-003 CX. Tours would be authorized at the following locations: Newspaper Rock, turn-outs along Highway 211, Mule Canyon Archeological Ruin, Butler Wash Archeological Ruin, and the Five Kivas Archeological Ruin in Westwater Canyon. Each permit would be issued as a one-year probationary permit with the option of a five-year renewal based on satisfactorily compliance with terms and conditions.

Authorities

The authority for this decision is contained in 43 CFR 2932, Special Recreation Permits for Commercial Use, Competitive Events, Organized Groups, and Recreation Use in Special Areas and the Federal Land Policy and Management Act (FLPMA) of 1976. FLPMA mandates multiple use of public lands, including recreation use.

Plan conformance and consistency

The proposed action has been determined to be in conformance with the terms and conditions of the Monticello Resource Management Plan (October, 2008) as required by 43 CFR 1610.5.

- REC-17, page 91, states: *Special Recreation Permits will be issued as a discretionary action as a means to help meet management objectives, contact visitor use, protect recreational and natural resources and provide for the health and safety of visitors.* The proposal meets the objective to provide for the issuance of commercial permits. Attached stipulations and project design ensures protection of resources and visitor safety.
- REC-18, page 91, states: *All SRPs will contain standard stipulations appropriate for the type of activity and may include additional stipulations necessary to protect lands or resources, reduce user conflicts, or minimize health and safety concerns.* Stipulations specific to the race have been added to the standard National, Utah, and Monticello BLM SRP stipulations in order to protect cultural and wildlife values.

The action is consistent with the Master Plan for San Juan County. San Juan County's Master Plan (July, 2013) identifies recreation and tourism as an economic opportunity. The plan calls for working to promote recreation and tourism within the county.

- Page 29 states: *The county views recreation and tourism as an additional economic opportunity...this opportunity may only be in its infant stage. The county will continue...promoting the county's tourist industry.* The proposal as written allows the proponent a business opportunity on BLM lands, thereby increasing economic opportunities for regional businesses.

Compliance and Monitoring: BLM conducts regular monitoring of commercial SRPs and is aware of resource conditions and potential for user conflicts. The permittee must allow the BLM to accompany tours for monitoring purposes.

Terms / Conditions / Stipulations: The following conditions that apply to this decision stem from the Proposed Action as documented in the Interdisciplinary Team Checklist and the environmental assessment. The terms and stipulation that will apply to this permit include the National, Utah Statewide, and Monticello BLM standard stipulations.

Protest/Appeal Language:

This decision to issue these SRPs shall take effect immediately upon the date it is signed by the authorized officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay. Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at Monticello Field Office, P.O. Box 7, Monticello, UT 84535.

If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125

South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the authorized officer and/or IBLA.

/s/Donald K Hoffheins
Donald K. Hoffheins, Field Manager

12/17/2015
Date